

## Message Text

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ACTION EA-12

INFO OCT-01 ISO-00 HA-05 IO-13 CIAE-00 DODE-00 PM-05

H-01 INR-10 L-03 NSAE-00 NSC-05 PA-01 SP-02

SS-15 ICA-11 OMB-01 TRSE-00 /085 W

-----071109 120558Z /15

R 120535Z AUG 78

FM AMEMBASSY TAIPEI

TO SECSTATE WASHDC 8577

C O N F I D E N T I A L SECTION 01 OF 02 TAIPEI 05354

E.O.11652: GDS

TAGS : PINT, SHUM, TW

SUBJECT : INDICTMENT OF PROVINCIAL ASSEMBLYWOMAN

- (TPA) SU HUNG

SUMMARY: TPA MEMBER SU HUNG YUEH-CHIAO TWICE CONTACTED EMBASSY TO EXPRESS CONCERN OVER ALLEGED "DISRESPECT" FOR HER HUMAN RIGHTS DURING INVESTIGATION OF CRIMINAL CHARGES OF FORGERY RESULTING IN IMPLICATIONS THAT HER ACTIVITIES INCLUDED SEDITION. MILITARY COURT REJECTED SEDITION CHARGES AGAINST SU'S CO-DEFENDANT LI WU-WEI, AND HER CASE (FORGERY ONLY) IS SCHEDULED FOR TRIAL IN CIVILIAN COURT ON AUGUST 12. IF CONVICTED SU WILL BE FORCED TO GIVE UP HER ELECTED POSITION AS YOUNG CHINA PARTY ASSEMBLYWOMAN IN TPA, WHERE SHE HAS BEEN OUTSPOKEN CRITIC OF GROC. AMBASSADOR MET WITH SU AT HER REQUEST AND AFTER HEARING DETAILS OF CASE TO DATE, INFORMED HER THAT WHILE WE ARE PREPARED TO HEAR HER SIDE OF THE CASE, AND ARE SYMPATHETIC TO HER CONCERN, WE ARE NOT PREPARED TO TAKE A POSITION ON THE MATTER AT THIS TIME. CASE IS BEING CLOSELY WATCHED BY OPPOSITIONISTS AS ONE OF INDICATIONS OF GROC STRATEGY FOR HANDLING NON-PARTY POLITICIANS PRIOR TO UPCOMING ELECTIONS. END SUMMARY.

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1. TAIWAN PROVINCIAL ASSEMBLYWOMAN SU HUNG YUEH-CHIAO (5685/3163/2588/1293) CAME TO SEE US ON JULY 31 AND TWICE ON AUGUST 8 TO DISCUSS ASPECTS OF HER INDICTMENT. SHE, TOGETHER WITH AN EMPLOYEE OF ANOTHER TRAVEL AGENCY, WERE CHARGED ON JULY 25 WITH INVOLVEMENT IN FORGED DOCUMENTS USED BY CLIENTS OF A TRAVEL AGENCY OF WHICH

SHE HAD PREVIOUSLY BEEN THE BUSINESS MANAGER. THE FORGED DOCUMENTS WERE USED TO ESTABLISH THAT THE CLIENT WAS GOING ABROAD FOR BUSINESS PURPOSES RATHER THAN TOURISM AND THEREFORE SU HUNG, ACCORDING TO THE INDICTMENT, "DISRUPTED THE EXIT-ENTRY CONTROL MEASURES AND ENDANGERED THE SECURITY OF THE NATION." THE INDICTMENT CLAIMED THAT THE CO-DEFENDANT CONFESSED TO THE FRAUDS AND CLAIMED MRS. SU HUNG WAS AWARE THAT DOCUMENTS WERE FORGERIES.

2. MRS. SU HUNG SAID THAT IT WAS OBVIOUS THAT THE ACCUSATIONS AGAINST HER WERE POLITICALLY MOTIVATED AND HAD BEEN "COOKED UP" BECAUSE OF HER CRITICISM OF THE GOVERNMENT. SHE SAID HER SUGGESTIONS THAT MARTIAL LAW BE TERMINATED AND THAT THE TAIWANESE DIALECT ALSO BE PERMITTED IN THE PROVINCIAL ASSEMBLY (TO HELP OLDER MEMBERS) ENRAGED THE KMT. SHE CLAIMS THAT THE TRAVEL AGENCY WITH WHICH SHE HAD BEEN CONNECTED MERELY SUBMITTED TO THE GROC THE VARIOUS DOCUMENTS PROVIDED BY THE CLIENTS ALONG WITH THE FORMS WHICH THEY HELPED THE CLIENT TO FILL OUT. THE GOVERNMENT ACTUALLY RULED ON THE DOCUMENTATION AND GAVE THE EXIT PERMITS. SHE HAD NEITHER BEEN INVOLVED IN MAKING FORGERIES NOR IN KNOWINGLY PASSING FORGERIES TO THE GROC. SINCE MOST TRAVEL AGENCIES HAD BEEN INVOLVED IN SIMILAR CASES OF CLIENTS' USING FORGERIES, SINGLING OUT HER AGENCY

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WAS CLEARLY DISCRIMINATORY. IN ADDITION, ACCUSING HER, A SIMPLE EMPLOYEE, INSTEAD OF THE BOARD CHAIRMAN OR GENERAL MANAGER OF THE AGENCY SHOWED THE REAL REASON FOR INDICTING HER WAS POLITICAL. SHE NOTED THAT WHILE THE GOVERNMENT MIGHT BE ABLE TO ESTABLISH THAT SOME CLIENTS OF THE AGENCY HAD INDEED USED FALSE DOCUMENTS, IT WOULD NOT BE ABLE TO PROVE THAT SHE KNEW THEY WERE FORGED. SHE WAS WORRIED NONETHELESS THAT THE COURT WOULD BE DIRECTED TO CONVICT HER. OPENING OF TRIAL IS SCHEDULED FOR AUGUST 12. SU HAS REQUESTED POSTPONEMENT ON GROUNDS SHE WILL BE ACCOMPANYING A TPA INSPECTION DELEGATION, BUT REALLY BECAUSE SHE IS NOT PREPARED FOR THE TRIAL. SU NOTED THAT IF CONVICTED, SHE WOULD BE REMOVED FROM THE PROVINCIAL ASSEMBLY.

3. ON AUGUST 8 SU RAISED WITH THE AMBASSADOR AN ADDITIONAL CONCERN ABOUT HER CASE. SHE HAD OBTAINED VIA THE LAWYER OF THE CO-DEFENDANT DOCUMENTS CONCERNING HIS CASE WHICH SHOWED THAT THE GROC'S ORIGINAL INTENTION HAD BEEN TO CHARGE HIM WITH SEDITION, BUT THE TAIWAN GARRISON GENERAL HEADQUARTERS (TGGH) HAD DISMISSED THE CHARGE AND SENT THE CASE TO THE CIVILIAN COURTS FOR

PROSECUTION SIMPLY ON THE FORGERY CHARGE. SU  
CONCLUDED FROM THIS THAT SHE HAD BEEN INVESTIGATED FOR  
SEDITION WITHOUT BEING SO INFORMED, WHICH SHOWED  
"DISRESPECT" FOR HER HUMAN RIGHTS.

4. ON SEVERAL OCCASIONS SU EXPRESSED ADMIRATION FOR  
PRESIDENT CARTER'S HUMAN RIGHTS POLICY, REFERRED TO  
HER OWN PARTICIPATION IN THE TAIWAN HUMAN RIGHTS  
COMMISSION, AND ASKED FOR U.S. SUPPORT FOR HER IN  
"THE POLITICAL ACTION" HER GOVERNMENT WAS TAKING  
AGAINST HER UNDER THE GUISE OF LEGAL ACTION.

5. THE AMBASSADOR THANKED SU FOR INFORMING EMBASSY

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OF HER CASE AND URGED HER TO OBTAIN A LAWYER TO DEAL  
WITH THE SPECIFIC CHARGES BEING DIRECTED AT HER.  
AMBASSADOR STATED THAT ALTHOUGH EMBASSY UNDERSTANDS  
SU'S CONCERN, WE DO NOT FEEL THAT THE EMBASSY CAN OR  
SHOULD PLAY ANY DIRECT ROLE AT THIS TIME. HE CAUTIONED  
SU THAT SHE SHOULD NOT ASSUME THAT THE USG WILL  
COMMENT PUBLICLY ON HER CASE IN THE FUTURE. AMBASSADOR  
STATED THAT BASED ON AVAILABLE INFORMATION WE CANNOT  
NOW JUDGE IF THERE IS ANY PROPER ACTION THE EMBASSY  
MIGHT TAKE.

6. IV GRANT. DURING JULY 31 VISIT SU CLAIMED THAT THE  
PREVIOUS ICA REPRESENTATIVE IN TAICHUNG (SHERRY BELL)  
TOLD HER HE WOULD TRY TO RECOMMEND HER FOR AN INTERNATIONAL  
VISITOR'S GRANT TO THE UNITED STATES. SU SAID THAT  
SHE WOULD APPRECIATE RECEIVING THE GRANT AS SOON AS  
POSSIBLE SINCE HER CONVICTION WOULD NOT ONLY REMOVE  
HER FROM THE PROVINCIAL ASSEMBLY BUT WOULD ALSO PREVENT

HER GETTING AN EXIT PERMIT. SHE ALSO THOUGHT THAT IF SHE COULD GO TO THE UNITED STATES AND SEE SOME OF HER FRIENDS INVOLVED IN THE HUMAN RIGHTS MOVEMENT IT MIGHT SERVE NOTICE ON THE GROC THAT SHE SHOULD BE GIVEN A FAIR TRIAL, IN WHICH CASE SHE WOULD BE ACQUITTED. NOTE: WE HAVE NO RECORD HERE OF ANY NOMINATION OF SU FOR AN IV GRANT, AND WE WERE UNAWARE

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THAT ANYONE HAD TOLD HER THAT SHE HAD BEEN RECOMMENDED, ALTHOUGH UNDER NORMAL CIRCUMSTANCES WE THINK THAT MRS. SU WOULD MAKE AN INTERESTING GRANTEE. SHE HAS NOT SUBSEQUENTLY REFERRED TO AN IV GRANT, PROBABLY BECAUSE SHE REALIZES THAT WITH A TRIAL DATE SET, IT IS NOT POSSIBLE TO SET UP A VISIT AT THIS TIME.

7. COMMENTS: SU GENUINELY FEARS SHE WILL BE CONVICTED. ALTHOUGH SHE HAS BEEN RELUCTANT TO VIEW HER PROBLEM AS HAVING A LEGAL DIMENSION, SHE WILL PROBABLY IN THE END GET THE ASSISTANCE OF ONE OF THE OPPOSITIONIST LAWYERS AND MOUNT A SPIRITED DEFENSE IN THE COURTS. HOWEVER, SHE WILL CONTINUE TO VIEW THE PROBLEM AS ONE OF PERSECUTION FOR HER POLITICAL VIEWS AND PRONOUNCEMENTS. SHE WILL THEREFORE ATTEMPT TO ENLIST USG AND AMERICAN PUBLIC OPINION SUPPORT FOR HER AND HER VIEW OF THE ROC'S ACTIONS. LIKE MANY HERE, SHE CONSIDERS THAT THE USG AND PRESIDENT CARTER IN PARTICULAR ARE THE PRINCIPAL CONSTRAINTS ON THE GROC.

8. IT APPEARS LIKELY THAT THE GROC WILL PROCEED WITH HER TRIAL, AND DESPITE THE FACT THAT SHE CAN ARGUE THAT SHE DID ONLY WHAT MANY OTHER TRAVEL AGENTS DID, SHE MAY WELL BE CONVICTED FOR FORGERY. REMOVING SU FROM HER TPA SEAT WILL NOT ONLY DEPRIVE HER OF A GOOD FORUM FOR HER STRIDENT CRITICISM OF THE GOVERNMENT BUT WILL ALSO DISCOURAGE OTHER CANDIDATES WHO MIGHT INTEND TO USE IN THE NEXT ELECTIONS THE TACTICS SHE USED TO GET ELECTED LAST NOVEMBER. HOWEVER, SU'S CASE, LIKE THAT OF CH'EN CHU COULD, IF MISPLAYED BY THE GOVERNMENT, STIMULATE FOREIGN CRITICISM OF THE GROC AND STRENGTHEN THE OPPOSITIONIST'S ELECTORAL APPEAL.

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## Message Attributes

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**TAGS:** PINT, SHUM, TW, (SU HUNG YUEH-CHIAO)  
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